

*Counsel to the Official Committee of
Unsecured Creditors of Purdue Pharma L.P.,
et al.*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

Purdue Pharma L.P., *et al.*,¹

Debtors.

Chapter 11

Case No. 19-23649 (RDD)

(Jointly Administered)

**THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS' JOINDER IN, AND
STATEMENT WITH RESPECT TO, *EX PARTE* MOTION OF THE AD HOC GROUP OF
NON-CONSENTING STATES FOR AN ORDER AUTHORIZING EXAMINATIONS OF
CERTAIN FINANCIAL INSTITUTIONS PURSUANT TO RULES 2004 AND 9016
OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE**

¹ The Debtors in these cases, along with the last four digits of each Debtor's registration number in the applicable jurisdiction, are as follows: Purdue Pharma L.P. (7484), Purdue Pharma Inc. (7486), Purdue Transdermal Technologies L.P. (1868), Purdue Pharma Manufacturing L.P. (3821), Purdue Pharmaceuticals L.P. (0034), Imbrium Therapeutics L.P. (8810), Adlon Therapeutics L.P. (6745), Greenfield BioVentures L.P. (6150), Seven Seas Hill Corp. (4591), Ophir Green Corp. (4594), Purdue Pharma of Puerto Rico (3925), Avrio Health L.P. (4140), Purdue Pharmaceutical Products L.P. (3902), Purdue Neuroscience Company (4712), Nayatt Cove Lifescience Inc. (7805), Button Land L.P. (7502), Rhodes Associates L.P. (N/A), Paul Land Inc. (7425), Quidnick Land L.P. (7584), Rhodes Pharmaceuticals L.P. (6166), Rhodes Technologies (7143), UDF L.P. (0495), SVC Pharma L.P. (5717) and SVC Pharma Inc. (4014). The Debtors' corporate headquarters is located at One Stamford Forum, 201 Tresser Boulevard, Stamford, CT 06901.

The Official Committee of Unsecured Creditors (the “Official Committee”) of Purdue Pharma L.P. (“Purdue”) and its affiliated debtors and debtors-in-possession (collectively, the “Debtors,” and together with their non-Debtor affiliates, the “Company”), submits this joinder in, and statement with respect to, the *Ex Parte Motion of the Ad Hoc Group of Non-Consenting States for an Order Authorizing Examinations of Certain Financial Institutions Pursuant to Rules 2004 and 9016 of the Federal Rules of Bankruptcy Procedure* [Docket No. 1019] (the “Motion”) submitted by the Ad Hoc Group of Non-Consenting States (the “Non-Consenting States”). In support of the Motion and its joinder thereto, the Official Committee respectfully states as follows:

STATEMENT AND JOINDER

1. The Official Committee joins the Non-Consenting States in their Motion and seeks the authority, if necessary, to pursue discovery under Rule 2004 from certain Financial Institutions.²
2. The Official Committee is in the process of investigating valuable estate claims against the Initial Covered Sackler Persons and others that would be released under the proposed Settlement Framework, including potential claims for breach of fiduciary duty and fraudulent transfer, among others. As part of that investigation, it is critical that the Official Committee obtain documents and information related to the location and amount of the Sacklers’ assets and any transfers of those assets over time. The discovery that may be sought from the Financial Institutions as described in the Motion is thus highly pertinent to the Official Committee’s investigation.

² Capitalized terms used but not defined herein shall have the meaning ascribed to them in the Motion and in the *Ex Parte Motion of the Official Committee of Unsecured Creditors of Purdue Pharma, et al., for an Order Authorizing Examinations Pursuant to Federal Rules of Bankruptcy Procedure 2004 and 9016*, ECF No. 981, as applicable.

3. On April 2, 2020, the Court entered an order authorizing the Official Committee and others to take formal discovery under Rule 2004 from the Initial Covered Sackler Persons. [ECF No. 992]. Pursuant to that order, the Official Committee has sought, and will continue to seek, information related to, among other things, the Sacklers' finances and transfers made to, for the benefit of, and by the Sacklers. As explained by the Non-Consenting States in their Motion, seeking financial information directly from the Financial Institutions may be a faster, more efficient and otherwise superior method for obtaining certain of this information. For this reason, and for the other reasons stated in the Motion, the Official Committee respectfully requests authority, if necessary, to serve requests for discovery under any order authorizing discovery from the Financial Institutions.

RESERVATION OF RIGHTS

4. The Official Committee and its members reserve all of their respective rights, claims, defenses, and remedies, including, without limitation, the right to amend, modify, or supplement this joinder, to seek additional discovery, add additional parties, or to raise additional grounds for granting the Motion during any hearing on the Motion.

CONCLUSION

For the reasons set forth above and in the Non-Consenting State's Motion, the Official Committee respectfully requests that the Court enter an order that authorizes the Official Committee and the Non-Consenting States to undertake a Bankruptcy Rule 2004 examination of the Financial Institutions. Attached hereto as **Exhibit A** is a clean and black line proposed form of order adding the Official Committee to the proposed order attached to the Motion.

New York, New York
Dated: April 9, 2020

AKIN GUMP STRAUSS HAUER & FELD LLP

By: /s/ Mitchell P. Hurley

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-and-

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*Proposed Efficiency Counsel to the Official
Committee of Unsecured Creditors of Purdue Pharma
L.P., et al.*

Exhibit A

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

PURDUE PHARMA L.P., *et al.*,¹

Debtors.

Chapter 11

Case No. 19-23649 (RDD)

(Jointly Administered)

**[PROPOSED] ORDER PURSUANT TO RULES 2004 AND 9016 OF THE
FEDERAL RULES OF BANKRUPTCY PROCEDURE AUTHORIZING
EXAMINATIONS OF CERTAIN FINANCIAL INSTITUTIONS**

Upon the motion, dated April 7, 2020 of the Ad Hoc Group of Non-Consenting States (the “Motion”)² for an order pursuant to Bankruptcy Rules 2004 and 9016 authorizing the examinations and discovery described therein; and the Court having jurisdiction over the Motion pursuant to 28 U.S.C. §§ 157(a)-(b) and 1334(b), as core proceedings pursuant to 28 U.S.C. § 157(b); and upon the joinder in, and statement with respect to the Motion filed by the Official Committee; and venue being proper in this District pursuant to 28 U.S.C. § 1408; and no additional notice being required except as provided herein; and, after due deliberation and good and sufficient cause appearing therefor,

IT IS HEREBY ORDERED THAT:

¹ The Debtors in these cases, along with the last four digits of each Debtor’s registration number in the applicable jurisdiction, are as follows: Purdue Pharma L.P. (7484), Purdue Pharma Inc. (7486), Purdue Transdermal Technologies L.P. (1868), Purdue Pharma Manufacturing L.P. (3821), Purdue Pharmaceuticals L.P. (0034), Imbrium Therapeutics L.P. (8810), Adlon Therapeutics L.P. (6745), Greenfield BioVentures L.P. (6150), Seven Seas Hill Corp. (4591), Ophir Green Corp. (4594), Purdue Pharma of Puerto Rico (3925), Avrio Health L.P. (4140), Purdue Pharmaceutical Products L.P. (3902), Purdue Neuroscience Company (4712), Nayatt Cove Lifescience Inc. (7805), Button Land L.P. (7502), Rhodes Associates L.P. (N/A), Paul Land Inc. (7425), Quidnick Land L.P. (7584), Rhodes Pharmaceuticals L.P. (6166), Rhodes Technologies (7143), UDF L.P. (0495), SVC Pharma L.P. (5717) and SVC Pharma Inc. (4014). The Debtors’ corporate headquarters is located at One Stamford Forum, 201 Tresser Boulevard, Stamford, CT 06901.

² Capitalized terms used not otherwise defined have the meaning set forth in the Motion.

1. The Motion is granted as provided herein.
2. The Non-Consenting States and the Official Committee are authorized to (i) conduct an examination of, (ii) request the production of documents by (including electronically stored information), and (iii) issue subpoenas to, the Initial Financial Institutions and other financial institutions who, through investigation or discovery, are believed to have relevant data and information, in each case with respect to the topics described in the Motion.
3. The Non-Consenting States and/or the Official Committee and any Financial Institution disputing a subpoena authorized by this Order shall meet and confer not only to attempt in good faith to resolve any disputes.
4. This Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

Dated: White Plains, New York
April __, 2020

THE HONORABLE ROBERT D. DRAIN
UNITED STATES BANKRUPTCY JUDGE

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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Dated: White Plains, New York
April __, 2020

THE HONORABLE ROBERT D. DRAIN
UNITED STATES BANKRUPTCY JUDGE

Summary report: Litera® Change-Pro for Word 10.8.2.11 Document comparison done on 4/8/2020 11:24:38 AM	
Style name: Default Style	
Intelligent Table Comparison: Active	
Original filename: Purdue - Financial Institutions Rule 2004 Proposed Order.docx	
Modified filename: Purdue - UCC Edits_Financial Institutions Rule 2004 Proposed Order.docx	
Changes:	
<u>Add</u>	3
Delete	0
Move From	0
<u>Move To</u>	0
<u>Table Insert</u>	0
Table Delete	0
<u>Table moves to</u>	0
Table moves from	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	0
Total Changes:	3